

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32394 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- SIKRAUL District- Buxar

1.

Ekbal Yadav @ Ram Ekbal Yadav @ Ram Ekbal Singh S/O Late Kundan Yadav R/O village- Mishrawaliya, Police station- Sikraul, District- Buxar
2.

Lalan Yadav S/O Late Kundan Yadav R/O village- Mishrawaliya, Police station- Sikraul, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Parijat Saurav, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Ravi Shankar Pathak, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3

28-07-2025

Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. Learned counsel for the petitioners prays for withdrawal of the application with respect to petitioner no. 1 in order to surrender and seek regular bail.

3. Permission is accorded.

4. The application is dismissed as withdrawn with respect to petitioner no.1 (Ekbal Yadav @ Ram Ekbal Yadav).

5. If the petitioner no. 1 surrenders and seeks regular bail within a period three weeks, the same shall be considered on its own merit without being prejudiced by the present withdrawal order preferably on the same day as the petitioner is

aged about 77 years.

6. The petition, thus, survives only against the petitioner no. 2.

7. The petitioner apprehends his arrest in connection with Sikraul P.S. Case No. 33 of 2025, F.I.R. for the offences punishable under Sections 191(2), 190, 115(2), 109, 103(1), 303(2), 352 and 61(2) of the Bharatiya Nyaya Sanhita.

8. The allegation in the First Information Report is that eight F.I.R named accused persons including the petitioner came variously armed and assaulted her husband who was done to death.

9. Learned counsel for the petitioner submits that although petitioner no.2 has been named in the F.I.R as one of the accused persons, there is no specific allegation of assault attributed to him. The occurrence has taken place due to land dispute between the parties and the petitioner also being one of the *Gotiyas*, has been implicated as an accused. It is next submitted that the petitioner no. 2 is an old man of more than 70 years of age and there are specific allegations on other persons of having caused the injuries which led to the death of the deceased. The petitioner undertakes to co-operate in investigation/trial.

10. The application for bail is opposed by learned APP for the State and learned counsel for the informant on the ground that the petitioner no. 2 is also a named accused in the F.I.R.

11. Considering the aforesaid facts and circumstances, let the petitioner no.2., namely, Lalan Yadav in the event of his arrest or surrender before the court below within a period of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar/Successor Court in connection with Sikraul P.S. Case No. 33 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023.

(Soni Shrivastava, J.)

Jyoti Kumari/-

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